*Previous references*
Rev 40.2-10 1-5 5-22 1914-15
Rev 514-08 1-5 4-8
Rev 511-06 1-2 (Rama-ingal)
*Later references.*
Rev 114-16(7-8) 10.
(R 339-15-(1-4)
Rev 56-14 & 54-10 B Jany 1917
H/110-1883 24, 27, 41, 43, 45, 47—49
H/160-2083 1-5-

File No. 109-15
Serial Nos. 1-7

P

# GENERAL AND REVENUE SECRETARIAT.

*Serial Nos.* 1—7

Part B. for August 1914

SUBJECT

The rights of the adjoining Khyla garden owners to the Sewage water of the Bangalore City main drain of discharging the Sewage water for the Lumbini Garden farm

Sd. To the President, Municipal Council Bangalore city
No 12 dtd 29/7/15 Enquire (1) when the drain was
Constructed (2) how long the Khyla have been
enjoying the right (3) whether such enjoyment is
peaceful or disputed & if so when & under what
circumstances
Sd. Town Dy no 64 dtd 28/8/15 Reports that the masonry
Construction of the main drain was taken up in
G R S 58 1903 & that the enjoyment of the use of

Strongly Thigalas was present and continuous up to and of 1890 that even now the enjoyment continues for obvious reasons though the owners ordered to be stopped

Sl 3 To the Superintendent Revenue Inspector submits on 24.10.13 Requests him to report about the contention of the Thigalas that their lands have been assessed on the basis of the supply of Sewage water.

Sl 4 - From the Superintendent Revenue Inspector dated 28.10.13 Reports that col from land has received in the Bagalgat Thigala that the Sewage has not been taken into consideration in any way in fixing the land tax and that it must be dealt with separately and that therefore he has no power to deal with the matter and has no power to deal with the matter

Sl 5 - To the President, Municipal Council, Bangalore dtd 30.10.13 Requested him to ascertain the views of the Municipal Council and of the Improvement Committee as directed in para 50 supra

Sl 6 - From the notice dtd 6/5/14 to the Municipal Council and the Improvement Committee are of opinion that the land from the Thigalas should be required as it has to be taken, after the completion of the new system of sewers that these lands can again be required

G.R.S. 11] 1912.

GENERAL AND REVENUE SECRETARIAT.

( Mark )

NOTES.

File No 109-13

FILE HEADING.

Supply of sewage water from the main drain, Bangalore city

From

| No. | Dated | Received |
|---|---|---|
| Diary No. | Enclos. | Spare Copies | Serial No |

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

page 21. (2)

In para 91 of the notes in the file No. 402-10, the Deputy Secretary has been pleased to note that the question of the supply of sewage water would be examined & a note submitted for

NOTES—First Sheet.

GPS—85,000—15-6-12

R S. 12]

General and Revenue Secretariat.

Ind File No. 109 of 1913

Serial No

the orders of the Dewan, who was pleased to direct that further action should be taken as indicated.

2 The question of prescriptive right to the sewage water, put forward by the Thugabars has been fully dealt with in Ind Fore No. 5 11-06 B Aug 1907 Bs 1 to 2 The Ind Council of Bangalore denied the existence of any such right but deferred the levy of the cess then contemplated for the use of the Sewage, distinctly reserving to themselves the right to levy the cess at a subsequent date, if considered desirable. The use of the Sewage water by the Thugabars was not however prohibited as the question of opening the Sunkal Tank Farm was only under consideration.

Notes 1 to 11 (Y) The note have been also referenced.

X.

Vide P. 0 on the file 5-11-06 (X)

3. Representations having been once made that the sewage water is wanted for the Sunkal Tank Farm Govt in July 1911 directed that the taking of Sewage

401-10)-5-W

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

R. S., 12]

General and Revenue Secretariat.

Ad File No. 109 of 1913

Serial No

by the Engineers should be put a stop to, and that necessary steps should be taken for securing the free & undiminished flow of the sewage into the Septic tank, and requested the Chief Engineer to submit proposals on the expediency of constructing a covered drain from the bamboo bazaar up to the Lalbagh road. The Chief Engineer while submitting proposals called for, proposed that as it was not likely that the garden owners would voluntarily and peaceably give up a right which they had enjoyed these many long years, the Municipality would do well in the meantime to compensate the garden owners in some wise and acquire their right for the sewage, as this action would compel them to sink wells or resort to other sources of water supply The question of the construction of a pipe sewer was under

By file returned

Vide this office letter No. 402—[illegible] - 14 dated [illegible] draft put up by office, para 2

NOTE—Contd. sheet.

GPB—65,000—17-6-13

R S. 12]

General and Revenue Secretariat. | Rvl File No. 109 of 1913

| Serial No | |
|---|---|
| Vide [illegible] (a) | under the Consideration of the Rvl Council & in the resolution passed there is no reference to the subject of Compensating the Dhigalars The President however, in his letter, invited attention to Govt. O of August 1907 wherein the rights of the Dhigalars had been re-pudiated. |
| N-1524 dt 22.1.1913 Rvl 412-10) | 4 To abate the nuisance from the drain, the continuation of the V shaped drain & the erection of high parapets at the Lalbagh road crossing has recently been approved by Govt & the question of the supply of sewage water has now to be examined as indicated in para 1 supra. |
| Rvl 412-10)-22 5 | 5 If approved the whole question may be referred to the present President with a request that he may kindly examine the case thoroughly & favour Govt with his opinion in the matter. |
| Clerk Worker to [illegible] upon persons as [illegible] 24/6/13 | 6 Submitted for orders TS 69 18/6/13 (18) Dy Secy) |

NOTE—Contn sheet.

Attested 15

GPB—65,000—17-6-12.

R S. 12]

General and Revenue Secretariat.

Rev File No. 109 of 1913

| Serial No. | |
|---|---|
| | The papers may unofficially be forwarded to the Govt Advocate for his views touching the prescriptive rights or other rights of the Malabars to the sewage water and their claim to compensation if any<br>Dave<br>9/7 |
| 9 | Forwarded unofficially to the Government Advocate for favour of remarks with reference to para 7 supra.<br>By order<br>Thomas Rose<br>for Secy to Govt<br>9/7/13<br>Genl Rev Deptt |

Jrs 9.7.13
Jrs 9.7.13

NOTE—Contin sheet.

GPB—85,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

Rel File No. 109 of 1913

Serial No.

O.S. 7/18-14

IV
1911

12

9 The general principle of law is that Enactments limiting rights & interests are not to be Construed to Embrace the Sovereign or the Government unless Expressly named therein or intended by necessary implication

10 By sub section 2 of Sec 26 of the Limitation Regulation IV of 1911 it is Enacted that where the property over which a right is claimed under Sub Section (1) belongs to Govt that Sub section shall be read as if for the words "20 years" the words "60 years" were Substituted.

11 The Thigalars have urged a prescriptive right to the use of the Sewage; they have therefore to establish peaceable & Open Enjoyment as of right without interruption for 60 years. It is not clear from the papers when the Main drain was Constructed or from what time the Thigalars Could possibly

Note—Contn. sheet.

General and Revenue Secretariat.

File No. 109 of 1913

Serial No

have Commenced the law of the Sewage. In the absence of information as to the period of enjoyment of the right claimed by the Dhigalars no definite opinion can be expressed about their present title or other right,

12 The right to Compensation presupposes that the person who claims the same has some right or interest in or over the property in respect of which Compensation is asked for. A claim to Easement is one of such rights but unless the right to the Easement is Established the right to Compensation does not exist

17.7.13.

Note—Contn. sheet.

GPB—64,000—17-6-13.

8

R S 12]

General and Revenue Secretariat

2d File No. 109 . of 1913

| Serial No. | |
|---|---|
| Sq | 13. Jn the Sub Committee's report |
| 1 | received with President's letter No. 49 d 30th August 1899 it is stated that sewage water was being used even before the Survey Settlement of 1877-78 So the Dhigalars must have been enjoying the right for over 35 years. If approved information as to the exact period may be called for |
| | 14 Draft, submitted for orders |
| | TS 69 15th Draft may be approved 21/7/13 (Sd) Dy Sec 4). Hon 23/7. |
| | 16 A tidy draft as revised may be put up Draft 24/7 Hon 24/7 |
| | 17 Fair draft, and TS 69 24/7/13 (Sd) Dy Sec 4) Hon 25/7. |
| | 18 Approved Draft 26/7 |
| | 19 Hon 26/7 |
| | 20 To President and Colmd Bangalore city No. 1249 d 29.7.13 Enquiries (1) when the drain was constructed (2) how long the Dhigalars have been enjoying the right (3) Whether such enjoyment is peaceful or disputed if so, when — and what circumstances |

Comtn sheet.

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

Govt File No. 109 of 1913

| Serial No. | |
|---|---|
| 2 | 21. From the President, Mysore City No. 64 d 28.8.13 (D 1453) Reports that the making construction of the main drain was taken up in 1903 & that the enjoyment of the use of sewage by Mysore was peaceful and continuous up to end of 1890 and that even now the enjoyment continues for obvious reasons though the use was ordered to be stopped. |
| | 22. The President's report does not add very much to the information already available. It appears that Govt Advocate may again be consulted in the matter in the light of the facts noted from para 13 supra |
| | 23 Submit for orders |
| | Dy 5/9 |
| | 24) The file may again be sent u.o to the Govt Advr for favour of opinion in the light of facts now reported upon by the President |
| | Dy 6/9 |
| | 25) Forwarded unofficially to the Govt Advocate for favour of opinion. By order. |

No: 47 6.9.13

Note—Contn. sheet.

17-8-12. 913.

P. S. 12]

General and Revenue Secretariat. | Judl File No. 109 of 1913

Serial No

U. O. 13 of 13-14.

26 The information now furnished is not of much help. Perhaps more information is not possibly forthcoming. In the absence of any evidence that the Thigalars were enjoying the right for the statutory period of 60 years in the manner required by law it may safely be presumed that they have not acquired any prescriptive right

27 There is another aspect of the Case. The Municipality possesses the right from time to time to alter the sewers or to discontinue or close up such of them as it may deem to have become unnecessary in the interests of Municipal administration. In these circumstances, it cannot be said that the enjoyment of the sewage in question was "of right" and inasmuch as it has not been shown that the right has been enjoyed in Operation by Govt. or by the Municipality it may be presumed that it was enjoyed by permission

NOTE—Contin sheet.

G. R. S. 12]

General and Revenue Secretariat.

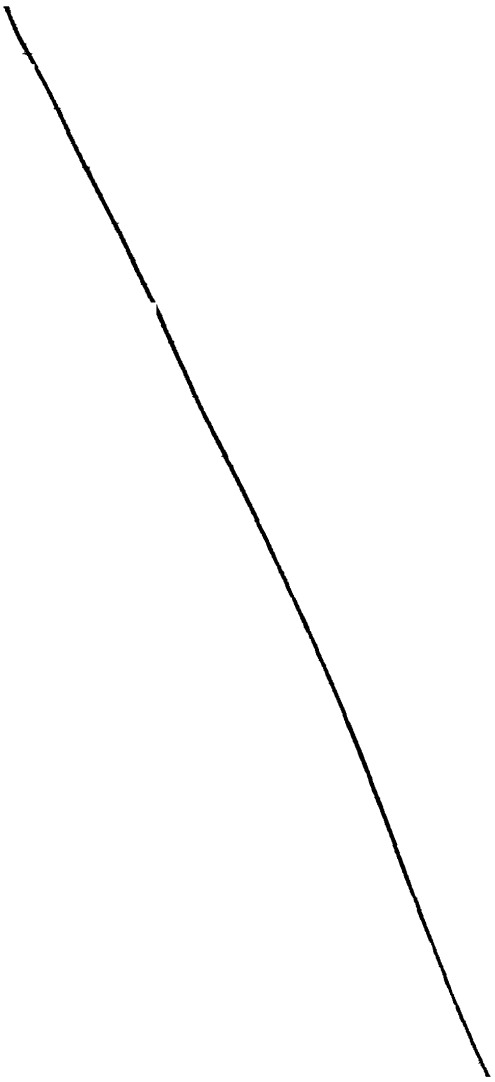
Ind File No. 109 of 1913

Serial No.

~~Pharaon~~ ~~not~~ as "of right" ~~it~~ Can be stopped at any Time

Bhownaggree for Lord Curzon

8-9-13.



NOTE—Obtain sheet.

GPB—65,000—17-6-12.

1483

C.—R. S. 121

Central Land Revenue Secretariat.

Land File No. 109 of 1913

Serial No.

28. Submitted for orders.

TLS 61 / 16/9/13 (11) Dy See'y) — Asst 11/9

29 The two points raised by the Collector seem to be (1) prescription of garden assessment on the basis of the supply of sewage water. The latter can be verified only by a Suitable Engineer of the Survey Dept. A draft may be proposed. — Draw 13/9 Asst 13/9

30. Draft, submd.

TLS 61 / 16/9/13 (11)

31 Please submit the draft.

17

32 Fair draft submd — Asst 18/9

TLS 61 / 19/9/13 24 Dy See'y) — Asst 20/9.

33 Please speak the localities in the draft. I refer to Mr R. Sy's Note, to make the matter precise. The draft is too general

Draw 21/9 Asst 22/9

34 Revised draft submd

TLS 61 / 25/9/13 (11)

Dy See'y) — Asst 26/9

35 The draft as revised may be put up

Draw 27/9

36. Fair draft, submd

TLS 61 / 27/9/13 (11) Dy See'y)

37 Approved — Asst 2/10

Draw 3/10

38 Issue — Asst 3/10

NOTE—Contin. sheet.

GPB—65,000—17-6-12.

2.76.2

G. R. S. 12]

General and Revenue Secretariat. | File No. 109 of 1913

| Serial No. | |
|---|---|
| 3 | 39 To Supdt. Suppmentary Survey No. 4875 22.10.13 Requests him to report about the contention of the Mujalars that their gardens have been assessed on the basis of the supply of sewage water |
| 4 | 40 From the Supdt Suppmentary Survey No. 58 dt. 11.13 (D 2762) Reports that Col: Grant has recorded in the Bengal Secretariat that the sewage water has not been taken into consideration in any way in fixing the garden assessment & that it must be dealt with by the owners & that therefore the Govt or the owners is at perfect liberty to deal with the water as they deem proper. |
| | 41 Subs: for orders with reference to para 39 It appears unnecessary to pursue the enquiry. The papers may if approved be recorded with "No further orders". |
| | TRS 61 12/11/13 (Illegible) 13 Dy Secy). 13/11 |
| | 42 A consolidated Note on this question may now be drawn up by the Assistant Secretary for revision & submission to the Director. Director 16/11 |
| | 43 Submitted with a brief note of the case from the beginning of this question. (Illegible) |

Owing to certain other important papers which I had ordered with the heavy work, I could not peruse this earlier. Correspondence Sambuga helped me much in this Case.

Note—Contn sheet.

GPB—65,000—17-6-12.

Examined 16/4

2762

[ G. R. S. 12]

General and Revenue Secretariat. | File No. 109 of 1913

Serial No.

be gen. typed after approval by the Dy Secy

Dy Secy)

Rm 6/1

44

The Note is suitable. I have revised it here & there. It may be caused to be typed, the paragraphs being duly numbered.

Duraiswamy 6/1

45. Typed note, submitted

Rm 7/1

T.M.61 24/1/14

Dy Secy)

(7)

Rm 24/1

46

A Note on the supposed right of the Tiglars of the Bangalore city to use the sewage water has been put up.

(அரசு - 2)

47 : The use by them is permissive in character. The legal opinion is to the effect that no prescription has arisen in their favour.

48 The question of compensating the Tiglars on the footing of a prescriptive right may therefore be dropped finally.

Duraiswamy 24/1

Rm 24/1

Duraiswamy)

72 & 6 22.1.14

49 The legal opinion on this subject is that the Tiglars have not acquired any prescriptive right.

50 The question should be faced and the

Note—Contn sheet.

GPB—65,000—17-6-12.

[G. R. S. 12]

2762

General and Revenue Secretariat | mc File No 109 of 1913

| Serial No | |
|---|---|
| | views of the Municipality and the City Improvement Committee ascertained as to - (1) how they propose to deal with the area now used as gardens by the Tigiars, (2) whether the gardens are to be allowed to remain there as a permanency or only for a time, and (3) in the latter case, how it is proposed to utilize the area in future. |
| | 19-2-14. |
| | B i/c |
| 51 | |
| 52. | Drafts submitted |
| | TU 61 2612/14 BDS - See 3) |
| | 20/2. |
| | 20/3 |
| 54. | To the President mt Council Bangalore city No. 8617 d 21.3.14 Requesting him to ascertain the views of the mt Council & of the City Improvement Committee as directed in para 50 supra |

S

Note.—Contd sheet

bc 89

Ml File No 109 of 1913.

Serial No

55 From the President Ml Council Bangalore city No. 315 d 6. 5. 14 (D 6489) Reports that the Ml Council & the city Improvement Committee are of opinion that lands to the north of the Hakkala road should be immediately acquired, & that work to be undertaken after the completion of the main sewer & that these lands may be required for future extensions.

56. If approved such other proposals may be entertained as regards acquisition of the gardens & about the settlement of the Shigelars to the eastern parts of the Sunkal farm and to the lands required in connection with the Revenue authorities if necessary.

57. Submit for orders with reference para 50 supra. (Draft memo up for possible requirements)

TM 61 Submitted for orders.

9. 5. 14

58) If the proposals are generally approved, the Ml Council may be authorised to proceed to work out the details of the Scheme.

See 29 No answer has been received to Govt memo No. 3 Para 50 Please call for it.

Note—Contd sheet

(PH—5,000—26-6-11

F. R. S. 12]

General and Revenue Secretariat.

File No. 109 of 1913.

| Serial No. | |
|---|---|
| 59) | The resolutions of the City Improvement Committee in regard to acquiring the vegetable gardens & the works & stalls & land immediately adjacent & also the sale of the Municipal Slaughter House & Cattle Pens & the Council Sewer in Mussalman Street eventually required for enlarging the site. |
| 60) | Submitted papers & have so. |
| 61) | The President may be informed that the Government generally approve of the proposals embodied in the resolutions of the City Municipal Council and the City Improvement Committee. |
| 62. | Draft ordered |
| 63. | |

NOTE—Contd. sheet.

G. R. S 12]

General and Revenue Secretariat. | Ind File No. 109 of 1913.

Serial No.

14. To the President and Cl
Bangalore City No. 2114 & 29 d. 14
Inform that Govt generally
approve of the proposals embodied
in the resolutions of the City Council & the City Improvement
Committee

NOTE—Contn sheet.

G P S—60,000—7 11 13

N O T E .

The point for orders in this file is whether the Tigalars in the Bangalore City who have been using the sewage water of the City main drain for their vegetable gardens need be given any compensation, now that the permission to use it has been withdrawn, and the drains so laid as to make it impossible for them to use the water.

2. After discussion, it was decided in 1892-93 that the Tigalars may be allowed to use the sewage water until the drainage system was completely laid out.

3. In 1896, however, Mr. Leonard, President of the Bangalore City Municipality attempted to raise revenue from the sale of sewage water, as in Madras, and in the C.& M.Station of Bangalore, and levied a cess of Rs30/- per acre. On appeal, Gov-

(5) W (5)

Government referred the matter to the Municipal Commission for their opinion. A Sub-Committee investigated[1] the question and found that only one field Sur.No.14 out of the several concerned had been recognized in the Original Survey as using the sewage water. The Committee did not decide whether the use of sewage water by the Tigalars was such as to create a prescriptive right in their favor, but merely recommended that the use of sewage might be permitted, subject to the reservation that the Municipality might levy a rate for such use at a future date if found advisable or proper. The Municipal Commission approved of the same and the Government communicated this decision to the Tigalars who, by their conduct, acquiesced in the same (vide endorsement dated the 8th October 1897).

4. The question of making the use of sewage a source of revenue was again urged by the Committee appointed by Government in their Proceedings No.4706-10/L.F.43-98 dated the 4th June 1904 to consider the steps necessary for improving the finances of the Municipal Council, Bangalore. In passing orders on their report, Government referred this matter to the Survey and Settlement Commissioner for investigation at the time of the revision settlement of the Bangalore Taluk. A memo drawn up by Mr.K.Ramaswami Iyengar, Assistant Superintendent of Survey in this behalf was reforwarded to the Municipal Council for opinion. The Municipal Council proposed that the use of sewage water by the Tigalars should be terminated to serve the interests of public health, and also to secure the sewage water for the Special Farm in contemplation.

Though Government concurred in the view that the Tigalars had no prescriptive right to the use of sewage, they declined to prohibit the use of sewage by the Tigalars immediately, as the Sunkal Farm had not been actually started. They even declined to levy a temporary cess for the use of sewage lest it should be construed to create or support the notion of a prescriptive right.

5. On a subsequent reference from the Chief Engineer in the same connection, the above view was again repeated, but the use of sewage by Tigalars was not prohibited as the then Sanitary Commissioner held that such use was not injurious to public health. The creation of new rights in favour of Tigalars was again expressly prohibited and it was also recognized that, when the Sunkal Farm was opened, the arrangement then existing would require readjustment.

(Vide page 21 of notes in Municipal File 514 of 1908).

6. The contingency arose in 1911, and Government directed in Government Order No.617-22/Munl.402 -10-5 dated the 22nd July 1911 that the taking of sewage water from the main drain by the Tigalars should be put a stop to. The Chief Engineer was also requested to report on the expediency of constructing a covered drain or pipe sewer from the Bamboo Bazaar to the Lal Bagh Road, to prevent the temptation which an open drain offers to the owners of the gardens to take the sewage water for their lands.

7. The Tigalars have not protested against this order. They have however been yielding to the temptation open to them. And to remedy this. Government have sanctioned the laying of a V shaped drain

the bed of the main drain in the Government order of the 17th May 1913.

8. It is clear from the above resume that the Tigalars have not established any prescriptive right to the use of sewage water but have, on the contrary, all along agreed to the declaration that their use is is by sufferance.

9. The matter has again been fully discussed as ordered by the Dewan. The Government Advocate has given it as his opinion that the Tigalars have no prescriptive right to the use of the sewage (paras 26 and 27).

A reference to the Superintendent of Revenue Survey has proved beyond all doubt that their gardens have not been assessed on the basis of the supply of sewage water.

Calling for certain information regarding the main drain, Bangalore city—

C. R. S. 961

File No. 109-13

Serial No /

Diary No. of letter replied to

No. 7249
ml 109-13-
dt 29.7.13.

General and Revenue Secretariat
( Mt. )
, the 191

To
The President
Mt. Council
Bangalore city—

Date of issue 29.7.13

Signed by Mr AVR

Sir,

I am directed to request you to be so good as to forward a report for the information of Govt upon the following points. —

(1) When was the main drain in the

over

SUBJECT

Colony by the exercise of which the Tigalars have claim, constructed?

(II) How long have the Tigalars been enjoying the alleged right?

(III) Whether such enjoyment has been peaceful & continuous throughout such period?

(IV) Whether it was disputed at any time? If so, when, how and in what circumstances

I have etc

For Secy

List of enclosures.

R 169
24/7/13

Copied by

Examined by

GPB—25,000—8-8-11

No 64 OFFICE OF THE PRESIDENT, MUNICIPAL COUNCIL

*Bangalore City, dated* 28th August *19*13

Encl:

D 1483
2l 109-13/81-2

*From*

DEWAN BAHADUR RAJA SABHA BHUSHANA
K. P PUTTANNA CHETTY, ESQ,
*Honorary President, Municipal Council,*
*Bangalore City*

*To*

*The Secretary to the Government of*
*His Highness the Maharaja of Mysore,*
*General & Revenue Departments, Bangalore*

SIR,

With reference to your letter No.1249 / Ml. 109-13-1 dated the 29th Ultimo, calling for information on certain points in respect of the City Main Drain, I have the honor to state as follows:-

(1) The construction of the main drain, as it stands at present, was taken up in sections and completed during three different periods as noted in the margin.

| | Daye of commencement. | Date of completion. |
|---|---|---|
| First Section - Arcot Srinivasacharlu street to Maramat Krishna Rao's street. | April 1903 | June 1904. |
| 2nd Section - From Maramat Krishna Rao's street to Hosakote Road crossing. | March 1905 | March 1906 |
| 3rd Section - From Hosakote Road crossing to Sunkal tank. | March 1907 | February 1909. |

(11) The Thigalars appear to have been making use of the sewage flowing in the Main Drain even before the masonry work was constructed.

(iii) The enjoyment of the use of sewage by Thigalars was peaceful and continuous up to end of 1890.

191

From

To

Dated

Despatched

Received

General No

No

Enclosure No.

GP25—50,000—23-9-15

(iv) Thereafter, their right to the use of the sewage water was questioned by the Municipality on two occasions, once in 1891 and again in 1897; but the user continues.

2. On the first occasion, notice was issued to the Thigalars to stop the use of water for gardening purposes on the ground that the practice of damming up the water and baling it out for irrigating their gardens was injurious to the neighbouring residents. On the receipt of a petition from the Thigalars praying for the reconsideration of the question and after the Municipal Council finally decided upon effecting certain improvements to the Main drain, the Thigalars were allowed to make the use of water as before.

3. In 1897, Mr. T.T. Leonard, the then President, proposing to levy a fee for the use of the sewage water, issued a notice to the Thigalars concerned to take out licenses on payment of fees at varying rates according to measurements of the lands irrigated. The Thigalars protested against the levy of fees on the ground that they were long in the enjoyment of the right, that their garden lands were heavily assessed on account of the use of the sewage and that they could not pay Municipal fee in addition etc. They appealed also to Government and, the Municipal Council, having concurred with the views of the Sub Committee appointed to report on the question, finally decided that the question of imposing a fee for the use of sewage be dropped, with the observation that the Council reserve to themselves the right to levy a cess at a future date if considered advisable or proper.

4. Now that the Sunkal Tank sewage Farm has been opened and the sewage water of the main drain is required for the Farm purposes, Government, in their Proceedings No.617-22/M1.402-10-5 dated the 22nd July 1911, ordered the use of the water by the Thigalars' being stopped, in view to secure a full supply of the main drain water to the Farm. But the order remains in-operative for obvious reasons.

5. Attention is invited to the memorandum drawn up on this question by Mr. K. Ramaswamy Iyengar, Deputy Superintendent, Revenue Survey and Settlements, when he resettled the Bangalore Taluk. Copy of it is not available in my office. 9, but I remember to have seen it.

I have the honor to be

Sir,

Your most obedient servant,

B Muttanna Chetty

Honorary President.

Calls for a report from the Superintendent Mysore Revenue Survey regarding the rights of Tigalars to the use of water in the city main drain, Bangalore.

15 109/13

G R.S. 26]

File No.

Serial No. 3

Diary No. of letter replied to 1483

100/15

No. 4875.
ml 9-13-
& 22.10.13

General and Revenue Secretariat
( Rev )
, the 19 .

To
The Superintendent
Mysore Revenue Survey

Date of issue 22.10.13.

Signed by Iyra v Ramanathan

Sir,

I am directed to invite your attention to the alleged prescriptive claim of the Tigalars in the Bangalore City to use the sewage water flowing in the City main drain from the Cauvery Bazaar street upto the Lalbagh road and also to the mains on the sewage water

over.

SUBJECT.

drawn up by Mr. K Ramaswamy Iyengar, Special Asst. Supdt. Supra Revenue Survey, which was received as an enclosure to the report on the revision settlement of Melbangalore Taluk. I/No. 182, August 1906 from the Survey and Settlement Commissioner)

2. It is contended that the claim of the ryots has been strengthened by reason of their gardens having been assessed on the basis of the supply of the sewage water.

3. I am therefore, to request you to favour Govt with a full report on this aspect of the question as early as practicable.

I have etc

for Secy

Copied by

Examined by

Ms 61
7/9/13

GPB—10,000—23-2-11

Mi. . . .

D 2762

Office of the Superintendent,
Mysore Revenue Survey,
Dated, Bangalore 6 November 1913

Ml 109-13/14.

From,
Rajakaryaprasakta,
Rao Bahadur D. Shama Rao, Esqr.,
Superintendent of Revenue Survey & Settlements.

To,
K.R. Srinivasa Iyengar, Esqr., M.A.,
Secretary to the Government of H.H.
the Maharaja of Mysore, General & Revenue
DEPARTMENTS.

Sir,

With reference to your letter No. 4875 -Ml.109-13-3 dated 22nd October 1913 calling for a report on the claim of the - - Thigalars in the Bangalore City to use the sewage water flowing in the City main drain from the Bamboo Bazaar street to the Lal Bagh Road, I have the honor to state that the drain in question passes through the Dodda Bailkhane village where chillar garden cultivation is mostly carried on by Thigalars. Their claim to utilize the sewage water without the payment of any additional tax on the ground that their gardens have been assessed on the basis of the supply of this sewage water is untenable, for, from a perusal of the Survey records I find a remark made by Col. Grant on the Bagayat Taktha of the said Dodda Bailkhane village to the effect that "the sewage water has not been taken into - "consideration in any way in fixing the garden assessment. It "must be dealt with by the Municipality."

In view, therefore, of these circumstances the Government or the Municipality is at perfect liberty to deal with the water as they deem proper.

I have the honor to be,
Sir,
Your most obedient servant

for SUPERINTENDENT
Asst. Superintendent
Mysore Rev: Survey
(absent from station)

Intimation re the land occupied by Dhuga gardens along the city main drain, Bangalore

G. R S. 26]

File No.

W/3

Serial No. 5

Diary No. of letter replied to 2762

13 5th / 13

No. 86-87

Rul 109-13

8/4/3.14

General and Revenue Secretariat

( Rul )

the 191

To

The President

Rul Council

Bangalore city

Date of issue 4.3.14

Signed by Guru V Ramanathan

Sir,

I am directed to invite reference to the correspondence ending with your letter no 64 dated the 28th August 1913 about the rights of the Dhugawars to the use of water of the city main

over

Rul 109-13)-2 current file

SUBJECT

10

I am directed to request you to be so good as to ascertain the views of the Municipal Council and of the City Improvements Committee as to

(1) how they propose to deal with the area now used as gardens by the Magistrates,

(2) whether the gardens are to be allowed to remain there (as at) permanently or only for a time, and

(3) in the latter case, how it is proposed to utilise the area in future.

~~and how Mr Knott's suggestions~~ ~~proposals~~

I have etc

Actg
Secy

*List of enclosures.*

TLbl
26 2 14

*Copied by*

*Examined by* 21/3/14

GPB—25,000—8-8-11

11

B M. 109]

No 315.
Encl 2

OFFICE OF THE PRESIDENT,
MUNICIPAL COUNCIL,
BANGALORE CITY, DATED 30th April 1914.

Rel 109-13/816 D 6489

FROM

DEWAN BAHADUR RAJA SABHA BHUSHANA
K. P. PUTTANNA CHETTY, ESQ,
*Honorary President, Municipal Council,*
*Bangalore City*

To

*The Secretary to the Government of*
*His Highness the Maharaja of Mysore,*
*General and Revenue Departments,*
*Bangalore*

SIR,

With reference to your letter No. 8687/Ml.109-13 dated the 21st March 1914 inviting reference to the correspondence ending with this office letter No. 64 dated the 28th August 1913 regarding the right of the Thigalars to the sewage water of the City Main drain and calling for the views of the Municipal Council and of the City Improvement Committee as to how the area now used as Thigalars' gardens is proposed to be utilized in future, I have the honor to state that the subject was placed before the City Improvement Committee, at their meeting held on the 8th Instant, when it was resolved that the gardens to the north of the Hosakota Road should be immediately acquired and that the question of the disposal of the gardens to the south of it might be considered after the covered main sewer is laid and the main road from the Cenotaph continued to the Basavangudi east road through Gangammacherry. The Municipal Council at their meeting held on the 25th of this month, concurred in the opinion of the City Improvement Committee with the observation that a sufficient area of land should be found for the Thigalars

who

GPS—2,000—00-0-15

191

From

To

Dated

Despatched

Received

General No.

No.

Enclosure No.

who would lose their lands near the main drain, to enable them to carry on their occupation near the Sunkal Farm.

2. Copies of the resolutions of the City Improvement Committee and of the Municipal Council referred to above are herewith forwarded for the information of Government.

I have the honor to be
Sir,
Your most obedient servant,

Honorary President.

Cubbon 69 10/816

7

Proceedings of the Bangalore City Improvement Committee at the meeting held in the City Municipal Office at 7-30 A.M., on the 8th April 1914.

P R E S E N T.

Dewan Bahadur Raja Sabha Bhushana
K.P. Puttanna Chetty Esquire,
Chairman.

C.M. Trumbelgel Esqr, F.R.H.S.,
Superintendent, Government Gardens.

F.C. D'Souza Esqr, B.A.,B.L.,
Under Secretary to Government.

J. Khera Esqr, L.C.E.,A.M.I.C.E.,
Sanitary Engineer to Government.

S.K. Lakshmanarasappa Esqr, B.Arch.,
Sub Assistant Engineer.

R. Subba Rao Esqr, F.R.C.S.I.,L.S.S.,
Health Officer.

T. Ramachandra Rao Esqr, B.A.,B.E.,
Municipal Engineer.

H. Ramaiya Esqr.

D.B. Ramachendra Mudaliar Esqr.

B.V. Garuda Char Esqr.

Nandi Narayanna Iyer.,

Vajjava Bangappa Esqr,

P. Ramaswamiah Esqr, B.A.,
Secretary.

A B S E N T.

K. Krishnaiengar Esqr, B.A.,L.C.E.,
Officiating Chief Engineer.

III. Read General and Revenue secretary's letter No.8687/M1.109-13 dated 21st March 1914 to the address of the President of the Municipal Council, Bangalore City, requesting him to ascertain the views of the Municipal Council and of the City Improvement Committee about the future

disposal

disposal of the area now used as gardens by the Thigalars near the City Main Drain.

Resolution:- The Committee are of opinion that the Vegetable gardens to the north of the Hosakota Road should be immediately acquired, and that as regards th gardens to the south of that road, the construction of the covered sewer will, it is believed, prevent the using of sewage for these lands, and that the question as to how these garden lands are to be disposed of in future may be taken up after the completion of the main sewer and the continuation of the main road from the Cenetoph to the Basavangudi East road through Gangammacherry. These garden lands will then be required for future Extensions. The principle to be kept in view would be to induce the Tigalars to move down to the eastern parts of the Sunkal Farm and to the lands beyond.

Sd. K.P. Puttanna Chetty,
C h a i r m a n,
City Improvement Committee.

" C O P Y ".

For Honorary President.
City Municipal Council[illegible].

Rec & mel 109-(3)/86

Extract from the Proceedings of the an Ordinary General Meeting of the City Municipal Council, Bangalore, held at the Office Premises at 7-30 A.M., on Saturday the 26th April 1914.

15

P R E S E N T.

Rowan Bahadur Raja Sabha Bhushana K.P. Puttanna Chetty Esqr.
Honorary President.

B. Ramaswamiah Esqr, B.A.,
Vice President.

The Executive Engineer,
Bangalore Division.

R. Subba Rao Esqr, M.D.C.M., L.S.Sc.
Health Officer.

The Amildar, Bangalore Taluk.

Rev. E.A. Edwards.

C.V. Narasimhiengar Esqr, B.A., B.L.

D.P. Ramachandra Mudaliar Esqr.,

G. Rajappa Esqr.,

B.K. Garuda Char, Esqr.,

S.N. Subba Rao Esqr.,

H.K. Veerabhadrayya Esqr, B.A., B.L.

D. Adeppa Esqr.,

G. Siddaveerappa Esqr.,

B.V. Ramaswami Chetty Esqr, B.A.,

B. Usman Khan Esqr.,

M. Subbaiya Esqr, B.A.,

M. Ramaiya Esqr.,

B. Hanumappa Esqr.,

S. Ramachandraswami Esqr, B.A.,

D. Venkataramaiya Esqr, B.A.,

A B S E N T.

L. Chinnaswami Chetty Esqr,

B. Abdur Rahman Esqr, B.A.,

S. Venkatarangiengar Esqr.,

4. General and Revenue Secretary's letter No. 8687/Ml. 101-13 dated the 21st March 1914, calling for the views of the Municipal Council and of the City Improvement Committee regarding the future disposal of the area now used as gardens by the Thigalars on either side of the City Main Drain.

Also Resolution of the City Improvement Committee dated the 8th April 1914 in the matter.

Resolution:- The Council concurs in the opinion of the City Improvement Committee with the observation that a sufficient area of land should be found for the Tigalars who would lose their lands near the main drain to enable them to carry on their occupation

16

occupation near the Sunnakal Farm.

Sd. K.P. Puttanna Chetty,
Honorary President.

" C O P Y ".

For Honorary President.

Acquisition of Vegetable gardens to
G. R S 26] north of Hutchins road Bangalore

File No. 1
Serial No. 7

Diary No. of letter replied to 6419

General and Revenue Secretariat
( Govt. )
the 191 .

No 2114
ml109-13 — 927 & 14.

To

The President
and Council
Bangalore city

Sir,

With ref
to the correspondence
ending with your
letter no. 315 of the 6th
May 1914 about the
acquisition of the Vegetable

over

Date of issue 27-6-14

Signed by Govt

SUBJECT

enclosures to the minutes of
the Council and the
Memorandum of separate
Lands near the Sunkal
Farm for the Digaru,
I am directed to inform
you that Government
generally approve of
the proposals embodied
in the resolutions of the
City Municipal Council & the
City Improvement Committee

I have etc

Asst
20/8/14 for Offg Secy
Secy
21/8/14

List of enclosures

TS61
18/8/14

Copied by ad 26/8/14

Examined by

GPB—25,000—4-8-13

for future extensions

Cty. to the President, and Council of Bangalore city

No 214 & 27/8/14 Lutions that the Govt

generally approve of the proposals embodied

in the resolutions of the City Municipal

Council & the City Improvement

Committee

Yours

29/14